

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

LINK MOTION INC.,

Plaintiff,

-against-

DLA PIPER LLP (US), and CARYN G.
SCHECHTMAN,

Defendants.

Case No. 1:22-cv-8313-VM-VF

**DECLARATION OF MICHAEL JAMES MALONEY
IN SUPPORT OF MOTION TO RECONSIDERATION**

MICHAEL JAMES MALONEY declares, pursuant to 28 U.S.C. 1746, as follows:

1. I am an attorney duly admitted to practice law before the United States District Court for the Southern District of New York. I am a partner of Felicello Law P.C. and counsel of record for Plaintiff Link Motion Inc. (“Link Motion” or the “Company”). I submit this declaration in support of Link Motion’s motion for reconsideration of the May 26, 2023 Decision and Order granting Defendants’ motion to dismiss. Dkt. 30.

2. In the related action *Baliga v. Link Motion Inc., et al.*, Case. No. 1:18-cv-11642 (the “Baliga Action”), the Court appointed Robert W. Seiden (the “Receiver”) as the temporary receiver for the Company on February 1, 2019.

3. Unless stated otherwise, all citations to “Baliga Action, Dkt. _” refer to documents filed in the Baliga Action at the referenced ECF docket numbers and are incorporated herein.

4. Unless stated otherwise, all citation to “China AI Action, Dkt. _” refer to documents filed in the related action *China AI Capital Ltd. v. DLA Piper LLP (US) et al.*, Case No. 1:21-cv-1091 (the “China AI Action”).

5. Annexed hereto as **Exhibit A** is a true and correct copy of the Sixth Amended and Restated Memorandum of Association of the Company, which was formerly known as Netqin Mobile Inc. Exhibit A was originally filed on March 27, 2019 at Baliga Action, Dkt. 36-4.

6. Annexed hereto as **Exhibit B** is a true and correct copy of the register of shareholders of the Company, dated as of October 22, 2018, and which was filed at Baliga Action, Dkt 130-1.

7. Annexed hereto as **Exhibit C** is a true and correct copy of a Deposit Agreement between the Company and Deutsche Bank Trust Company Americas, dated as of 2011. Exhibit C was originally filed at Baliga Action, Dkt. 142-6.

8. Annexed hereto as **Exhibit D** is a true and correct copy of the Declaration of Katharine L. B. Pearson, dated 3 March 2020. Exhibit D was originally filed at Baliga Action, Dkt. 131.

9. Annexed hereto as **Exhibit E** is a true and correct copy of the ECF docket in the China AI Action. Exhibit E was obtained from PACER on June 9, 2023.

10. Annexed hereto as **Exhibit F** is a true and correct copy of the Order entered on September 13, 2022 at China AI Action, Dkt. 28.

11. Annexed hereto as **Exhibit G** is a true and correct copy of my declaration dated February 3, 2023 along with Exhibits 2 through 7 annexed thereto. Exhibit G and exhibits 2 through 7 were originally filed on February 3, 2023 at Baliga Action, Dkt. 394, 394-2, 394-3, 394-4, 394-5, 394-6, and 394-7.

12. Annexed hereto as **Exhibit H** is a true and correct copy of the Order, entered on April 25, 2023 at Baliga Action, Dkt. 410, which granted Dr. Shi's motion to vacate the prior orders to seal certain records.

13. Annexed hereto as **Exhibit I** is a true and correct copy of a letter from Robert W. Seiden (the “Receiver”), along with excerpts of attachments thereto, which were filed on May 24, 2023 at Baliga Action, Dkt. 419 in response to Exhibit H.

14. Annexed hereto as **Exhibit J** is a true and correct copy of my declaration dated May 26, 2023 filed at Baliga Action, Dkt. 421-1 along with exhibits A (Dkt. 421-2), B (Dkt. 421-3), and C (Dkt. 421-4) thereto.

15. Annexed hereto as **Exhibit K** is a true and correct copy of the Order entered by the Court on May 26, 2023 and filed at Baliga Action, Dkt. 425.

16. Annexed hereto as **Exhibit L** is a true and correct copy of a Consulting Agreement and attachments. Exhibit F was originally filed on June 1, 2023 at Baliga Action, Dkt. 428-1.

17. Annexed hereto as **Exhibit M** is a true and correct copy of a Form 6-K, dated November 14, 2017, and accompanying press release. Exhibit M was obtained from the S.E.C.’s website.

18. Annexed hereto as **Exhibit N** is a true and correct copy of the endorsed letter and attachments submitted in the Baliga Action on March 1, 2019 by Defendants. The Complaint in this action incorporated by reference Exhibit N.

19. Annexed hereto as **Exhibit O** is a true and correct copy of the Stipulation of Non-Opposition signed and filed by Defendants in the Baliga Action. The Complaint in this action incorporated by reference Exhibit O.

20. Annexed hereto as **Exhibit P** is a true and correct copy of the order appointing the Receiver in the Baliga Action. The Complaint in this action incorporated by reference Exhibit P.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: June 9, 2023

/s/ Michael James Maloney
Michael James Maloney